

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AFT MICHIGAN,

Plaintiff,

v.

PROJECT VERITAS, and
MARISA L. JORGE,

Defendants.

Civil Case No. 17-13292
Honorable Linda V. Parker
Mag. Judge Elizabeth A. Stafford

_____/

**ORDER GRANTING THE MICHIGAN ATTORNEY GENERAL'S
MOTION TO INTERVENE (ECF NO. 106)**

Presently before the Court is the Michigan Attorney General's Motion to Intervene under Federal Rules of Civil Procedure 24(a) and 5.1(a)(2).

Federal Rule of Civil Procedure 24(a) provides that a court must permit intervention by anyone who has been given an unconditional right to intervene by a federal statute. Congress provides an unconditional right to intervene pursuant to 28 U.S.C. § 2403, which states that federal courts "shall permit" a state to intervene in any suit "wherein the constitutionality of any statute of that State affecting the public interest is drawn in question." Defendants, in their interlocutory appeal to the Sixth Circuit Court of Appeals, challenge the constitutionality of Michigan's Eavesdropping Statute, Mich. Comp. Laws §§

750.539a, 750.539c, as facially unconstitutional under the vagueness doctrines of the Due Process Clause of the Fifth Amendment and First Amendment, respectively.

On April 18, 2019, pursuant to Federal Rule of Civil Procedure 5.1(a)(2), counsel for Defendants delivered a notification to the Department of Attorney General noticing their constitutional challenge to Michigan's Eavesdropping Statute. This Court also received notice on May 14, 2019, pursuant to Rule 5.1(a)(2).

Upon consideration of the Michigan Attorney General's timely motion and the concurrence of all parties, the Court concludes that the Michigan Attorney General is entitled to intervene and grants the motion.

Accordingly,

IT IS ORDERED, that the Michigan Attorney General's Motion to Intervene (ECF No. 106) is **GRANTED**.

IT IS SO ORDERED.

s/ Linda V. Parker

LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: June 20, 2019